IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 6565 of 2005

Between:

1 K.K. Lakshmi Bai, W/o. K. Sunder Rao,
R/o. 49-54/23, Green Park, Visakhapatnam13.

2 Indira Patro, W/o. P.C. Patro,
R/o. 7-92, Tikkireddy Street, Yanam, Rep. by her G.P.A. Holder Smt. K.K. Lakshmi Bai,

3 Laxmi Marikar, W/o. s. Marikar,
R/o. M.S.A. Bunglow, Old Mannar, Idukki District, Kerala State, rep. by her G.P.A. Holder, Smt. K.K. Lakshmi Bai.

..... PETITIONERS

AND

The Sub-Registrar, Registration & Stamps Department,
Anakapalli, Visakhapatnam District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ order or directions more particularly one in the nature of Mandamus declaring the in action of the respondent in not receiving the documents pertaining to the lands belonging to the petitioners situated in survey members 127/P to 130/P, 446/P, 447 to 451, 459, 460, 461/P, 462, 463, 467 to 478 of Cheepurupalli Village, Parawada Mandal, Visakhapatnam District, presented for registration by the petitioners as illegal and arbitrary and consequently direct the respondents to receive the documents presented by the petitioners and register them and pass such other order or orders.

Counsel for the Petitioners: MR.P.ROY REDDY

Counsel for the Respondent: GP FOR REVENUE

This Court at the admission stage made the following :

O R D E R:

This writ petition is filed seeking to declare the action of the respondent in not receiving the documents presented by the petitioners for registration pertaining to the lands belonging to them situated in Survey Nos.127/P to 130/P, 446/P, 447 to 451, 459, 460, 461/P, 462, 463, 467 to 478 of Cheepurupalli Village, Parawada Mandal, Visakhapatnam District, as arbitrary and illegal.

I have heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondent.

As and when a document is presented for registration, the Registering Authority has to receive the same and process it in accordance with law, but the Authority cannot refuse to receive the document. Hence, the respondent is not justified in refusing to

receive the documents presented by the petitioners. If there is any objection for registration of the documents-in-question, the respondent ought to have communicated the same to the petitioners. In the circumstances, I deem it appropriate to dispose of the writ petition with a direction to the respondent to receive the documents-in-question and to process the same following due process of law. In case there is any objection for registration of the said documents, the same shall be communicated to the petitioners within a period of two weeks from the date of receipt of a copy of this order. No costs.

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(**G. ROHINI**)

Date: 29-03-2005

Note: Issue CC by tomorrow.

B/o

ghn

To

1. The Sub-Registrar, Registration & Stamps Department,
Anakapalli, Visakhapatnam District.

2 Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad. (O.U.T.).

3 Two CD copies.